

REMARKS

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-30 remain pending. Claims 23-27 have been allowed. Claims 1, 6, 7, 11-21 and 28-30 have been rejected. Claims 2-5, 8-10 and 22 have been objected to, but would be allowable if rewritten in independent form.

In this response, claims 2, 12, and 22 have been canceled without prejudice. Claims 1, 3, 8, 11, 13-21, and 28-30 have been amended. No new matter has been added.

Specifically, claims 1 and 11 have been amended to include substantially all limitations of the objected to claims 2 and 12 respectively. Claims 8 and 18 have been amended as independent claims including substantially all limitations of their respective base and intervening claims. Claim 21 has been amended to include substantially all limitations of the objected to claim 22. Thus, at least independent claims 1, 8, 11, 18, and 21, and their dependent claims are allowable, in addition to claims 23-27.

REJECTIONS UNDER 35 U.S.C. §101

Claims 11-20 have been rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. In view of the foregoing amendments, it is respectfully submitted that the rejections have been overcome.

REJECTIONS UNDER 35 U.S.C. § 103

1, 6, 7, 11, 16, 17 and 21 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0229802 to Challener, et al. (“Challener”), in view of U.S. Patent No. 6,122,745 to Wong-Insley (“Wong-Insley”). In

view of the foregoing amendments, it is respectfully submitted that the rejections have been overcome.

CONCLUSION

In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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